

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Michael A. Cain Jr.

Docket No. 5:15-MJ-1009-1

**Petition for Action on Probation**

COMES NOW Debbie W. Starling, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Michael A. Cain Jr., who, upon an earlier plea of guilty to Level 4 Driving While Impaired, in violation of 18 U.S.C. §13, assimilating N.C.G.S. 20-138.1, was sentenced by the Honorable Robert T. Numbers, II, U.S. Magistrate Judge, on August 5, 2015, to a 12-month term of probation under the conditions adopted by the court.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:** The defendant's supervision term is scheduled to expire on August 4, 2016. However, he has failed to complete the treatment program as recommended by his initial assessment. All other conditions of his supervision have been satisfied, and there have been no known instances of non-compliance to date. He recently underwent another assessment, and has begun working toward the required treatment hours. Based upon these factors, it is respectfully recommended that his term of supervision be extended for a period of three (3) months to allow him an opportunity to complete his treatment program as ordered by the court. The defendant signed a Waiver of Hearing agreeing to the proposed extension of supervision.

**PRAYING THAT THE COURT WILL ORDER** that probation be modified as follows:

1. That the term of probation supervision be extended three (3) months from the expiration date of August 4, 2016, until November 4, 2016.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing  
is true and correct.

/s/ Eddie J. Smith  
Eddie J. Smith  
Supervising U.S. Probation Officer

/s/ Debbie W. Starling  
Debbie W. Starling  
U.S. Probation Officer  
310 Dick Street, Fayetteville, NC  
Phone: 910-483-8613  
Executed On: July 14, 2016

**ORDER OF THE COURT**

Considered and ordered on July 19, 2016  
made a part of the records in the above case.

. It is further ordered that this document shall be filed and



Robert T. Numbers, II  
United States Magistrate Judge